



VARIANCE REVIEW

Form # 000-V

This Variance packet includes:

- Process Flow Chart
- Application
- Applicant Instructions
- Checklist

For questions or additional information, please contact:

City of Clarkston
3921 Church Street
Clarkston, Georgia 30021
Phone: (404) 296-6489
www.cityofclarkston.com

VARIANCE & ADMINISTRATIVE VARIANCE PROCESS

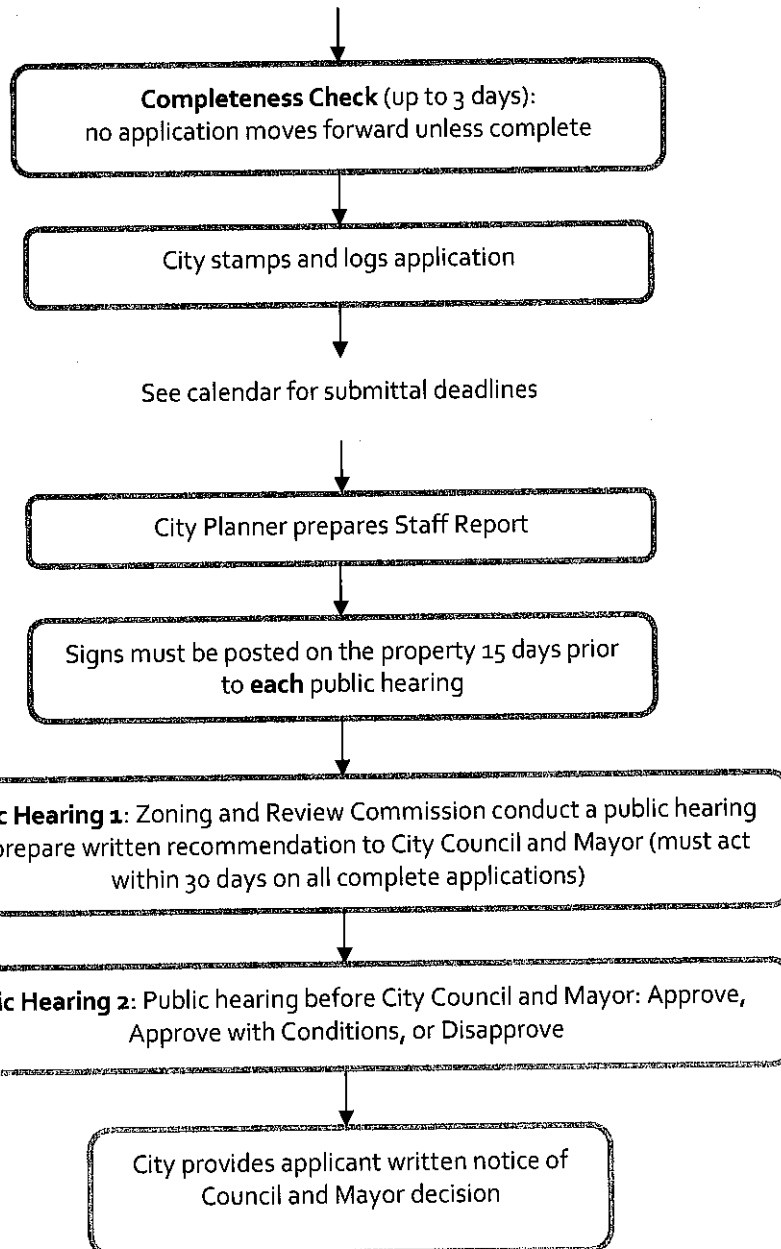
Form # 100-V

NOTE: Administrative Variance(s)

The Administrative Variance follows the same process as that of a standard variance, with the exception of the final hearing (Public Hearing 2) and decision which is made by the Mayor, not with Mayor and Council as occurs with a standard Variance.

*Blue box
indicates
Applicant
action*

Submit complete application form with documents and fee; not an official submittal until reviewed for completeness (consult the checklist for application requirements)



This page must be completed by the Applicant. Please see Applicant Instructions for full requirements.

SUBMITTAL CHECKLIST

Your application must include the following items, or it will not be considered complete:

- ☐ Plan(s) to scale demonstrating variance requested
- ☐ Survey
- ☐ Property Deed
- ☐ Recorded Plat of Property (seven (7) copies)
- ☐ Campaign Contribution Disclosure Form
- ☐ Filing Fee (payable to The City of Clarkston)

FOR OFFICE USE/DETERMINATION

Review determination and fee: Review fee (payable to *The City of Clarkston*) depends on type of review(s). (See Fee Schedule):

_____ Variance _____ (Fee)
Please indicate if this is an Administrative Variance

APPLICANT INFORMATION

Applicant Name _____ Company _____
Primary Phone # _____ Alternate Phone # _____ Fax # _____
Email Address _____

PROJECT SUMMARY

Name of Project _____

Detailed Description of Variance. Include: Variance needed (code section, square footage or other dimension); Proposed use(s) and square footage of floor area for each use; and written explanation of hardship involved with need for variance (see checklist).

Total Number of Parcels Involved: _____	Total Project Area (acre/sf): _____	Total Disturbed Area: _____
Total Number of Buildings: _____	Total Estimated Construction Cost: _____	

VARIANCE APPLICATION

Form # 200-V

- ☐ Project Submittal Checklist and all documents, plans, written analysis, and fees required therein accompany this application form.

I hereby certify that all information provided herein and in the accompanying documents is true and correct.

Applicant Signature

☐ Property Owner

☐ Owner's Agent

Date

PROPERTY INFORMATION/OWNER AUTHORIZATION

If more than one parcel is the subject of review, owner-applicant shall complete information for each parcel on additional page attachments; authorized agent-applicants must complete this page for EACH parcel.

PARCEL (PROPERTY) INFORMATION

Property Address/Location	Suite/Apt. #	City, State	Zip Code
Parcel ID/Property Tax Identification Number		Total Acreage	
Present Use(s)		Present Zoning (Official Zoning Map)	
Proposed Use(s)			
<input type="checkbox"/> Indicate here if there are more than one subject parcels (attach information accordingly)			

Legal description includes: Or: ☐ Indicate here that an exhibit identifying property location is attached.

Subdivision Name	Lot #	Block #
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PROPERTY OWNER

Owner (Person, Firm, Corporation, or Agency)		Company Name	
Mailing Address	Suite/Apt. #	City, State	Zip Code
Primary Phone #	Fax #	Email Address	

PROPERTY OWNER'S AGENT (If applicable; must match applicant contact information on page #1)

Name and Company (Owner's Agent or Attorney)			
Mailing Address	Suite/Apt. #	City, State	Zip Code
Primary Phone #	Fax #	Email Address #	

AUTHORIZATION FOR AGENT (If applicable)

Owner Signature	Date
Print Name	

Subscribed and sworn before me this _____
day of _____, 20____.

Signature of Notary Public in the State of Georgia

NOTARY SEAL

VARIANCE APPLICANT INSTRUCTIONS

Form # 300-V

1. Determine if application is for Variance or Administrative Variance. If not Administrative the standard Variance process would need to be followed.

ADMINISTRATIVE VARIANCE CRITERIA

- (1) Front yard or yard adjacent to public street—Reduction not to exceed ten (10) percent of that required.
 - (2) Side yard—Variance not to exceed three (3) feet reduction.
 - (3) Rear yard—Variance not to exceed five (5) feet reduction.
 - (4) Height of building—Variance not to exceed five (5) feet reduction.
 - (5) Fenestration—Not to exceed twenty (20) percent deducted from the requirement.
 - (6) Landscape zone—Variance not to exceed two (2) feet deduction.
 - (7) Sidewalk zone—Not to exceed two (2) feet deduction.
2. Applications for a Variance and Administrative Variance must meet all of the criteria listed in Section 308 or 309. (See Checklist)
 3. Applicant submits a completed application (Plan(s) should clearly demonstrate variance request).
 4. Once application is deemed complete, applicant receives notices of public hearing date and information regarding the posting of a sign on the property (City staff to post sign). All properties subject for variance require a sign posted on the property fifteen (15) days prior to the public hearing (Sec. 304-c (1)(c))
 5. The city planner will review the application for variance and prepare a staff report with a recommendation.
 6. The staff report is forwarded to the planning and zoning board for their consideration.
 7. **Public Hearing** – council approves, approves with conditions, or denies the request. In the case of an Administrative Variance it is the Mayor that approves, approves with conditions, or denies the request.

Source: City of Clarkston Code of Ordinances Appendix A (Zoning) Section 307

Applicant Name

Name and Description of Project

Applications for a Zoning Variance shall, as part of the application, **meet ALL** of the following criteria (Section 308):

- _____ 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
- _____ 2. Such conditions are peculiar to the particular piece of property involved.
- _____ 3. Such conditions are not the result of the actions of the applicant.
- _____ 4. A literal interpretation of the provisions of this Ordinance would create an unnecessary hardship.
- _____ 5. The variance requested will not cause substantial detriment to the public good nor impair the purposes or intent of this zoning ordinance.
- _____ 6. The variance is not a request to permit a structure or use of land not authorized in the applicable district.

Administrative Variance. An application for an Administrative Variance must meet all of the requirements listed above. However, an Administrative Variance may be approved by the Mayor if it is a variance from the following requirements (Also see Zoning Ordinance Section 309):

1. Front yard or yard adjacent to public street – reduction not to exceed 10% of that required.
2. Side yard - variance not to exceed three feet reduction.
3. Rear yard - variance not to exceed five feet reduction.
4. Height of building - variance not to exceed five feet reduction.
5. Fenestration - not to exceed 20% deducted from the requirement.
6. Landscape zone- variance not to exceed two feet deduction.
7. Sidewalk zone- not to exceed two feet deduction.

Completeness check. The City Clerk shall review the application for completeness. Once certified complete, the application shall be forwarded to City Planner for a Staff Report.

The report will be transmitted to the Planning and Zoning Board, and the board's recommendations will be made to the Mayor and City Council.